

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/500,016
Applicant(s): Ian Michael Hosking et al.
Filed: April 18, 2005
Art Unit: 2425
Examiner: Okeke, Onyedika C.
Title: CAPTIONING SYSTEM

Confirmation No.: 9080

Docket No.: 051862/340763
Customer No.: 00826

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated April 1, 2009, in which the Examiner has required a restriction between Group I, namely claims 1-33 and 36-40, Group II, namely claim 34, and Group III, namely claims 35 and 41. The Office Action further requires a further election between the species corresponding to Fig. 2a, alleged by the Office Action to encompass claims 2-7, 10 and 11, and the species corresponding to Fig. 4, alleged by the Office Action to encompass claims 8, 9, 21 and 26, if Group I is elected.

Applicants hereby provisionally elect to prosecute the claims of Group I and the species of Fig. 2a and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Despite the election above, Applicants respectfully traverse with respect to the Office Action's linking of claims to the species of Figs. 2a and 4. In this regard, Applicants respectfully submit that claims 1-3, 9-33 and 36-40 are generic to both Fig. 2a and Fig. 4. Thus, claims corresponding to Fig. 2a include claims 4-7, while claim 8 corresponds to Fig. 4. Accordingly, by electing the species of Fig. 2a, Applicants respectfully submit that claims 1-7, 9-33 and 36-40 are elected for further prosecution.

In support of Applicants' traversal with respect to the species classification of the claims, Applicants respectfully note that the format in which the captions are output to the user does not have any relationship to how the synchronization signals are carried by the presentation. For example, the synchronization information may be carried in the audio of the presentation and the text captions are output to the user on a display (as described in reference to Fig. 2a), or the synchronization information

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may be carried in the video of the presentation and audio captions are output to the user as sound. Thus, although claim 9 sets forth that the presentation comprises audio, this is not relevant to the way that the captions are output to the user. This is similarly true for claims 2, 3, 10, 11, 21 and 26, and thus claims 2, 3, 10, 11, 21 and 26 are generic to both species of Fig. 2a and Fig. 4.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone Applicants' undersigned attorney so that further examination of this application can be expedited. It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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